

APPEAL NO. 020475
FILED MARCH 28, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on January 16, 2002. With respect to the issue before her, the hearing officer determined that the respondent (claimant) is entitled to supplemental income benefits (SIBs) for the third quarter, which ran from October 17, 2001, to January 15, 2002. In its appeal, the appellant (carrier) argues that the hearing officer's good faith and direct result determinations are against the great weight of the evidence. In her response to the carrier's appeal, the claimant urges affirmance.

DECISION

Affirmed.

The hearing officer did not err in determining that the claimant is entitled to SIBs for the third quarter. In its appeal, the carrier challenges the hearing officer's determinations that the claimant satisfied the good faith and direct result requirements. In so doing, the carrier emphasizes the same factors that it emphasized at the hearing in an attempt to defeat the claimant's claim for SIBs. The significance of those factors was a matter for the hearing officer to consider as the fact finder in resolving the factual questions related to the issue of whether the claimant had sustained her burden of proving her entitlement to SIBs. Nothing in our review of the record reveals that the challenged determinations are so against the great weight of the evidence as to be clearly wrong or manifestly unjust. As such, no sound basis exists for us to reverse the good faith and direct result determinations, or the determination that the claimant is entitled to SIBs for the third quarter, on appeal. Pool v. Ford Motor Co., 715 S.W.2d 629, 635 (Tex. 1986); Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986).

The hearing officer's decision and order are affirmed.

The true corporate name of the insurance carrier is **LUMBERMENS MUTUAL CASUALTY COMPANY** and the name and address of its registered agent for service of process is

**CORPORATION SERVICE COMPANY
800 BRAZOS
AUSTIN, TEXAS 78701.**

Elaine M. Chaney
Appeals Judge

CONCUR:

Philip F. O'Neill
Appeals Judge

Terri Kay Oliver
Appeals Judge